

Minutes of Special and Regular City Council Meeting of July 10, 2012
City Council Chambers, One Twin Pines Lane

SPECIAL MEETING 7:00 P.M.
CLOSED SESSION

A. Conference with Labor Negotiator, Greg Scoles, under Government Code Section 54957.6: MMCEA, Belmont Firefighters IAFF Local 2400 and Fire Management Unit (FMU)

Attended by: Councilmembers Wozniak, Warden, Braunstein, Feierbach, City Manager Scoles, City Attorney Rennie, Human Resources Director Dino, Finance Director Fil, Interim Fire Chief Fry, and Labor Consultant Doughtie. Councilmember Lieberman was absent and City Clerk Cook was excused from attending.

ADJOURNMENT at this time being 7:30 P.M.

Terri Cook
City Clerk

This meeting was not tape recorded or videotaped

REGULAR MEETING

CALL TO ORDER 7:35 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Wozniak, Feierbach, Braunstein, Warden

COUNCILMEMBERS ABSENT: Lieberman

Staff Present: City Manager Scoles, City Attorney Rennie, Fire Chief Fry, Community Development Director de Melo, Finance Director Fil, Public Works Director Oskoui, Human Resources Director Dino, Parks and Recreation Director Gervais, Deputy Finance Director Lazzari, Parks and Recreation Director Gervais, Police Chief DeSmidt, City Treasurer Violet, City Clerk Cook

PLEDGE OF ALLEGIANCE

Led by Police Chief DeSmidt

REPORT FROM CLOSED SESSION

City Attorney Rennie stated that there were no reportable actions from the Closed Session held earlier.

SPECIAL PRESENTATIONS

Oath of Office for Police Chief Dan DeSmidt, Police Lieutenant Anthony Psaila, Police Sergeant Troy Adams, Police Officer Brian Vogel

City Manager Scoles stated that Police Chief Dan DeSmidt has been with the Belmont Police Department for over 25 years, and is a product of local public schools. He noted that Chief DeSmidt is a graduate of the FBI Academy and has been a member of the San Mateo County SWAT Team. He has helped manage the department's budget and maintains a high level of

service. He commented that Chief DeSmidt supports community policing, and has embraced the use of social networking for communicating with the public. He stated that Chief DeSmidt was an inaugural member of the Belmont Lions Club and he coaches baseball.

Police Chief DeSmidt stated that newly promoted Police Officer Brian Vogel has been working as a reserve officer for the past six months.

Police Chief DeSmidt noted that newly promoted Sergeant Troy Adams came to the City of Belmont from the US Navy and possesses skills in investigative work.

Chief DeSmidt stated that newly promoted Lieutenant Tony Psaila is a 23-year veteran of the Belmont Police Department, has served on the Narcotics Task Force, the SWAT Team, has skills in tactical operations, and is a graduate of the FBI Academy.

City Clerk Cook administered the Oath of Office, and members of the officers' families pinned their badges.

Police Chief DeSmidt thanked his family for their support of his career, and stated that he looks forward to being a part of the management team. He acknowledged the prior leaders of the police department who were present in the audience. He noted that there is a strong bond of trust of the Belmont Police Department, which he will not sacrifice. He expressed a desire to continue building camaraderie with many groups in the community, and would like to broaden to others.

Councilmember Feierbach stated that Chief DeSmidt will do a good job, and she thanked him for accepting the assignment.

Councilmember Wozniak expressed support for some of the ideas the Chief put forth in his comments.

Councilmember Braunstein stated that the Chief has the support of the City Council.

Mayor Warden stated that Chief DeSmidt is a good leader and will continue the good leadership that the Police Department has always had.

RECESS: 7:55 P.M.

RECONVENE: 8:00 P.M.

SPECIAL PRESENTATIONS, continued

RELAY FOR LIFE

Randy Silver, Belmont/Redwood Shores Relay for Life, provided a powerpoint slide show and information on the upcoming event to be held on July 28, 2012, as a fundraiser for the American Cancer Society.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Michael Conneron, attorney on behalf of the San Mateo County Mosquito and Vector Control District, provided information that had been forwarded to LAFCo regarding their upcoming meeting on the future of the District. He noted that the District concurs that it did not have proper procedures in place to avoid the recent embezzlement, which has subsequently been corrected. He noted that a new auditor has been hired. He stated that all agencies agree that the District handles mosquito abatement well, and the issue is about management of the District. He explained that the District wishes to continue as an independent organization.

COUNCIL/BOARD MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Braunstein noted that Cori McKenzie recently retired as Principal of Central Elementary School, and he expressed a desire to honor her years of service.

AGENDA AMENDMENTS

Councilmember Wozniak requested the removal of the Minutes of June 12, 2012 for clarification. City Clerk Cook noted that she would check the audio and would resubmit at the next meeting.

CONSENT CALENDAR

Motion to Receive Monthly Financial Reports

Adoption of Ordinance 1064 of the City of Belmont Increasing Certain City Sewer Service Charges

Approval of Resolution 2012-073 of the City Council Authorizing Payment to the City of San Mateo for Emergency Call-Out Service for the Traffic Signal Replacement at Cipriani Boulevard and Ralston Avenue for an Amount not to Exceed \$15,440

Approval of Resolution 2012-074 of the City Council Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount not to Exceed \$220,000, Approving a Ten Percent Construction Contingency, and Authorizing the City Manager to Execute a Contract for the 2012 Capital Pavement Project, City Contract Number 2011-512

Approval of Resolution 2012-075 of the City Council Approving a Permanent Encroachment Agreement Allowing a Fence within the Public Right-of-Way Adjacent to 1938 Oak Knoll (APN 044-072-790)

Approval of Resolution 2012-076 Authorizing a Subscription with Thomas Reuters for West's Annotated California Codes

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Braunstein, the Consent Agenda was unanimously approved, as amended, by a show of hands (4-0, Lieberman absent).

HEARINGS

Public Hearing of the City Council to Consider a Resolution Adopting the Annual Report of Sewer Treatment Facility Fees Charged to Parcels of Real Property to Fund the City's Share of the South Bayside System Authority Sewer Treatment Plant Expansion and Approving the Charges for Collection on the Assessment Roll

AND

Public Hearing of the City Council to Consider a Resolution Adopting the Report of Sewer Services Fees Charged to Parcels of Real Property to Fund the Operation and Maintenance of the City's Sewer Collection System and Approving the Charges for Collection on the Assessment Roll

Public Works Director Oskoui explained that the first Public Hearing was related to the sewer treatment facility charge for collection on the tax roll, and the second Hearing was related to fees for the City's collection system. He noted that action is required in order to transmit the data to the County Tax Collector.

Mayor Warden opened the Public Hearing for the Annual Report on Sewer Treatment Facilities Fees. No one came forward to speak.

ACTION: On a motion by Councilmember Wozniak, seconded by Councilmember Braunstein, the Public Hearing was unanimously approved by a show of hands (4-0, Lieberman absent).

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Braunstein, Resolution 2012-077 Adopting the Annual Report of Sewer Treatment Facility Fees Charged to Parcels of Real Property to Fund the City's Share of the South Bayside System Authority Sewer Treatment Plant Expansion and Approving the Charges for Collection on the Assessment Roll

Mayor Warden opened the Public Hearing for the Annual Report on the City's Sewer Collection System fees. No one came forward to speak.

ACTION: On a motion by Councilmember Braunstein, seconded by Councilmember Feierbach, the Public Hearing was unanimously approved by a show of hands (4-0, Lieberman absent).

ACTION: On a motion by Councilmember Wozniak, seconded Councilmember Braunstein, Resolution 2012-078 Adopting the Report of Sewer Services Fees Charged to Parcels of Real Property to Fund the Operation and Maintenance of the City's Sewer Collection System and Approving the Charges for Collection on the Assessment Roll was unanimously approved by a show of hands (4-0, Lieberman absent).

Public Hearing to Consider an Ordinance Prohibiting the use of Polystyrene Based Disposable Food Service Ware by Vendors (second reading and adoption)

Community Development Director de Melo stated that the first reading of this ordinance, which would ban the use of polystyrene food containers, took place at the June 12th meeting. He explained that staff performed outreach to hotels and to the Belmont-Redwood Shores School District. He noted that should the City Council adopt the ordinance, it would take effect on October 1st. He pointed out that many cities are adopting this ordinance.

Mayor Warden opened the Public Hearing.

Miriam Gordon, on behalf of Clean Water Action, stated that her organization is in support of banning the use of polystyrene, which is a carcinogen. She noted that alternative food containers are available, and reusable containers are preferred. She requested that the City of Belmont

consider supporting AB 568, which would prohibit the use of polystyrene food containers on a State-wide basis.

Discussion ensued regarding the federal government's position on designating polystyrene as a carcinogen.

Sean Misskelly, Belmont resident, expressed support for the ordinance.

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Wozniak, the Public Hearing was unanimously closed by a show of hands (4-0, Lieberman absent).

Councilmember Wozniak expressed her support for adopting the County's ordinance by reference. She also expressed a desire to support AB 568 as noted by the previous speaker.

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Wozniak, Ordinance 1065 Prohibiting the use of Polystyrene Based Disposable Food Service Ware by Vendors was unanimously adopted by a show of hands (4-0, Lieberman absent).

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Mayor Warden noted that he is not available to attend the SBSA (South Bayside System Authority) meeting this week as the alternate delegate.

ACTION: On a motion by Mayor Warden, seconded by Councilmember Wozniak, and unanimously approved by a show of hands (4-0, Lieberman absent) to designate Councilmember Braunstein as a temporary alternate delegate to SBSA.

Councilmember Wozniak stated that she would be unable to attend the upcoming PCC (Peninsula Consortium of Cities) meeting.

Verbal Report from City Manager

City Manager Scoles reported that a homeless encampment was discovered in the Sugarloaf Mountain area. He described a recent Police Department incident wherein the officers apprehended a suspect in a burglary who had fled the scene and discarded the weapon from his vehicle. He noted that he met with representatives from Mid-Peninsula Water District. He announced that National Night Out would be held on August 7th, and noted that eight events were planned throughout the city.

ADJOURNMENT at this time, being 8:30 p.m.

Terri Cook
City Clerk

